

REMARKS

Discussion of the Amendments

Claim 59 has been amended to define the LIPG polypeptide as being more specifically one of SEQ ID NO. 6. Support for this amendment resides in the application in the paragraph commencing on page 18, line 27, and page 29, line 26.

Claims previously withdrawn as being directed to a non-elected invention have been cancelled without prejudice. The claims pending presently are Claims 59 and 103.

The Sequence Listing has been amended by the concurrently filed "Amendment to the Sequence Listing" for the purpose of deleting therefrom SEQ ID NOS. 5 and 6 (as originally numbered). This was done in response to the Examiner's objections thereto because the Examiner did not consider the application to have adequately described how these sequences were obtained. As the definitions of SEQ ID NOS. 9 and 10 (as originally numbered) relied upon those of SEQ ID NOS. 5 and 6 (as originally numbered), these have been deleted as well. Accordingly, in the amended Sequence Listing, SEQ ID NOS. 7 and 8 (as originally numbered) were renumbered as SEQ ID NOS. 5 and 6, respectively, and SEQ ID NOS. 11 to 31 (as originally numbered) were renumbered as SEQ ID NOS. 7 to 27, respectively.

The Drawings were amended by the deletion of Figures 1 to 5 (as originally numbered). Figures 2 and 3 (as originally numbered) were deleted for the purpose of rendering moot the Examiner's objections thereto. Figures 1, 4, and 5 (as originally

numbered) were deleted because the information contained therein was redundant with those contained in SEQ ID NOS. 5, 6, and 13 to 27 (as currently numbered). Figures 6 to 23 (as originally numbered) were renumbered as Figures 1 to 18, respectively. Figures 24 to 28B were added by mistake in applicant's Reply of October 18, 2004 and have been deleted.

The descriptive portion of the application has been amended to take into account the above re-numberings of the Figures and Sequences. In addition, references to sequences contained in now deleted Figures 1 to 5 (as originally numbered) now refer to their ID numbers in the Sequence Listing.

References to Figures 1 to 5 and to SEQ ID NOS. 5, 6, 9, and 10 have been deleted throughout the application.

The material added by amendment on November 6, 2002 at page 25, between lines 7 and 8, has been deleted and replaced with reinstated material from page 25, lines 8 to 23, of the application as filed originally. This was done to render moot the Examiner's objection to various portions of the material added on November 6, 2002 as being new matter.

A typographical error was corrected in the "Description of the Sequences" section, specifically in the paragraph relating to SEQ ID NO. 1 where "PT-PCR" was changed to read --RT-PCR--.

No new matter has been added.

Discussion of the Examiner's Section 102(b) Rejection

The Examiner has rejected Claims 59 and 103 as being anticipated by Ikeda et al., *J. Lipid Research*, 31: 1911-1924 (1990). According to the Examiner, Ikeda et al. discloses a method for measuring LPL in human blood and the claims do not distinguish thereover because the term "LIPG" is broad enough to encompass LPL. In view of a telephone conference with the Examiner on January 26, 2005, which is gratefully acknowledged, Claim 59, from which Claim 103 depends, has been amended to define the LIPG polypeptide as having the amino acid sequence SEQ ID NO. 6. Ikeda et al. does not disclose a method for measuring a polypeptide of SEQ ID NO. 6. Accordingly, the claims, as amended, are not anticipated thereby.

Given the above, the Examiner's objection has been overcome and applicants request respectfully that the Examiner withdraw the rejection.

Discussion of the Examiner's Section 112, Second Paragraph, Rejection

The Examiner rejected Claims 59 and 103 under Section 112, second paragraph, because the Examiner considered the term "LIPG polypeptide" to be unclear. In the January 13, 2005 Action, the Examiner recommended that the claim be amended to recite the SEQ ID NO. for a particular LIPG polypeptide. This has been done with the above amendment.

Given the above, the Examiner's objection has been overcome and applicants request respectfully that the Examiner withdraw the rejection.

Discussion of the Examiner's Objections to the
Descriptive Portion of the Application and to the Drawings

It is believed that the Examiner's various objections to the descriptive portion of the application and to the drawings are overcome by the above amendments. References to SEQ ID NOS. 5 and 6 and Figures 2 and 3 (as originally numbered) have been deleted. The abstract has been amended to more completely describe the disclosed subject matter. The matter added in applicant's amendment of November 6, 2002, portions of which the Examiner objected to as being new matter, has been deleted. Figures 24 to 28 have been deleted. A typographical error in the paragraph introducing SEQ ID NO. 1 has been corrected.

Conclusion

In view of the above amendment and remarks and the concurrently filed "Amendment to the Sequence Listing", it is believed that the Examiner's rejections and objections have been overcome.

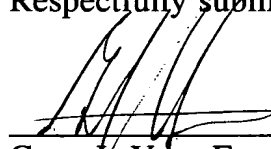
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favorable allowance of all of the pending claims are requested respectfully.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gene J. Yao', is written over a horizontal line.

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